**THE HON'BLE SRI JUSTICE B.PRAKASH RAO**

**and**

**THE HON'BLE SRI JUSTICE D.APPA RAO**

**W.A.NO.420 OF 2006**

**JUDGMENT:** ***(Per Hon'ble Sri Justice B.Prakash Rao)***

Heard Sri B.S.B.Prakash Kumar, learned Counsel appearing for the appellant and the learned Government Pleader for Co-operation appearing for the respondents.

The appellant is the unsuccessful writ petitioner, who, being an employee of the respondents herein, sought a Writ of Mandamus *inter alia* as against the inaction on the part of the respondents in settling the retirement benefits subsequent to his retirement, and consequently, to declare the same as violative of Articles 14 and 21 of the Constitution of India.

The learned single Judge, after going into the merits of the case, found that the appellant-writ petitioner has got an effective alternative remedy by way of invoking the provisions under the Industrial Disputes Act for settling all his claims, and accordingly, dismissed the Writ Petition.

Having heard the learned Counsel on either side and on perusal of the entire material available on record, it appears

that the appellant has not simply restricted his claim to any particular one item, and in fact, his claim includes all the benefits, which according to him, he is entitled to in law. This aspect necessarily requires a comprehensive enquiry, which may not be possible by this Court in exercise of its writ jurisdiction under Article 227 of the Constitution of India. As rightly pointed out by the learned single Judge, the petitioner can approach the Labour Court and adduce appropriate evidence and material in support of his claim. In these circumstances, we do not find any merits in the above appeal.

Writ Appeal is, accordingly, dismissed. However, the appellant is at liberty to approach the Labour Court and file an application for settlement of his retirement benefits. On filing such application, the Labour Court shall consider and dispose of the same, after giving notice and opportunity to both sides, within a period of three months therefrom. No costs.

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**(B.PRAKASH RAO, J)**

**25th April, 2006**

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**(D.APPA RAO, J)**

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